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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 03, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RICHARD JAMES N.,¹

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 2:23-cv-00362-LRS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand, ECF No. 11. Based on the stipulation of the parties, the Court finds good cause to grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

ORDERED:

1. Defendant's Stipulated Motion for Remand, ECF No. 11, is **GRANTED**.

¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

- 1 2. This case is **REVERSED** and **REMANDED** for further administrative
- 2 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
- 3 3. Upon remand, the Commissioner will develop the record as needed and
- 4 issue a new decision.
- 5 4. Upon proper presentation, this Court will consider Plaintiff's application
- 6 for costs, expenses, and reasonable attorney's fees under the Equal Access to
- 7 Justice Act, 28 U.S.C. § 2412(a), (d).
- 8 5. Plaintiff's Opening Brief, **ECF No. 10**, and the hearing and remaining
- 9 briefing schedule are **VACATED** as moot.

10 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
11 Order and provide copies to counsel. Judgment shall be entered for Plaintiff and
12 the file shall be **CLOSED**.

13 **DATED** May 3, 2024.

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15 LONNY R. SUKO
16 Senior United States District Judge
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